



**Anthony J. Sylvester**  
Partner  
Direct: 973.302.9713  
Fax: 973.845.2546  
asylvester@shermanwells.com

January 22, 2018

**VIA ECF**

Honorable Katharine S. Hayden, U.S.D.J.  
United States Post Office and Courthouse  
1 Federal Square  
Newark, New Jersey 07101

**Re: *NXIVM Corporation v. Stephanie Franco, et al.*,  
Civil Action No. 2:06-cv-01051(KSH)(CLW)**

Dear Judge Hayden:

We represent Stephanie Franco in the above-referenced matter. We write with regard to the February 6<sup>th</sup> trial date set by the Court on January 17, 2018. Immediately upon learning that the trial was being rescheduled for February 6, 2018, we contacted our expert, Dean William Keep of The College of New Jersey School of Business, to determine whether he would be available the week of February 6<sup>th</sup> to testify. Dean Keep advised that he was scheduled to attend a pre-paid trip and conference in Las Vegas from February 6-10, 2018, and would not be available to testify until February 13, 2018 (with February 12, 2018 being a Court holiday).

Accordingly, we respectfully request that Ms. Franco be permitted to present Dean Keep as an expert witness on February 13, 2018. Thank you.

Respectfully Submitted,

/s/Anthony J. Sylvester  
Anthony J. Sylvester

cc: Hon. Cathy L. Waldor, U.S.M.J. (via ECF)  
Counsel of Record (via ECF)

4816-9791-1642, v. 1